

SECOND REGULAR SESSION
[P E R F E C T E D]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 683
90TH GENERAL ASSEMBLY

Reported from the Committee on Civil and Criminal Jurisprudence, March 13, 2000, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

Senate Committee Substitute adopted April 6, 2000.

Taken up April 6, 2000. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

2750S.03P

AN ACT

To repeal section 304.580, RSMo 1994, relating to construction zones, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 304.580, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 304.580, to read as follows:

304.580. 1. As used in this section, the term "construction zone" or "work zone" means any area upon or around any highway as defined in section 302.010, RSMo, which is visibly marked by the department of transportation **or the appropriate political subdivision or a contractor performing work for the department of transportation or appropriate political subdivision** as an area where construction, maintenance, or other work is temporarily occurring.

2. Upon a conviction or a plea of guilty by any person for a moving violation as defined in section 302.010, RSMo, or any offense listed in section 302.302, RSMo, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized to be imposed by law, if the offense occurred within a construction zone or a work zone.

3. Upon a conviction or a plea of guilty by any person for a speeding violation pursuant to either section 304.009 or 304.010, the court shall assess a fine of

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

two hundred and fifty dollars in addition to any other fine authorized to be imposed by law, if the offense occurred within a construction zone or a work zone and at the time the speeding violation occurred there was any person in such zone who was there to perform duties related to the reason for which the area was designated a construction or work zone. However, no person assessed an additional fine pursuant to this subsection shall also be assessed an additional fine pursuant to subsection 2 of this section and no person shall be assessed an additional fine pursuant to this subsection if no signs have been posted pursuant to subsection 4 of this section.

4. The penalty authorized by subsection 3 of this section shall only be assessed by the court if the department of transportation or the appropriate political subdivision or a contractor performing work for the department of transportation or appropriate political subdivision has erected signs upon or around a construction or work zone which are clearly visible from the highway and which state substantially the following message: "Warning: \$250 fine for speeding in this work zone".

5. Upon a conviction or a plea of guilty by any person for a speeding violation pursuant to a speed limit established by a county or a municipal ordinance which exceeds the posted speed limit by twenty miles per hour, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized to be imposed by law, if the offense occurred within a construction zone or a work zone and at the time there was any person in such zone who was there to perform duties related to the reason for which the area was designated a construction or work zone. The penalty authorized by this subsection shall only be assessed by the court if the political subdivision or a contractor performing work for the political subdivision has erected signs upon or around a construction or work zone which are clearly visible from the highway and which state substantially the following message: "Warning: \$75 fine for speeding in this work zone".

[3.] 6. This section shall not be construed to enhance the assessment of court costs or the assessment of points pursuant to section 302.302, RSMo.